

BEFORE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

November 26, 2002 \*02 NOV 26 PM 12 58

*IN RE: AENEAS Communications, LLC, Petitioner*  
*Against Citizens Communications*  
*Company of Tennessee, LLC, Respondent.*

)  
)  
)  
Docket No. 02-00438

---

**CITIZENS TELECOMMUNICATIONS COMPANY OF  
TENNESSEE, LLC'S FIRST SET OF DISCOVERY  
REQUESTS TO AENEAS COMMUNICATIONS, LLC**

---

Pursuant to TRA Rule 1220-1-2-.11, Citizens Telecommunications Company of Tennessee, LLC's ("Citizens") is issuing these discovery requests to Aeneas Communications, LLC ("Aeneas").

- (a) If any response required by way of answer to these requests is considered to contain confidential or protected information, please furnish this information subject to the protective agreement executed by the parties in this docket.
- (b) If any response required by way of answer to these requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.
- (c) These requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you.
- (d) If any request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a request, answer all parts of the request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These requests require supplemental responses consistent with the provisions of the Tennessee Rules of Civil Procedure.

### **DEFINITIONS**

(a) “You” and “your” means Aeneas Communications, LLC, and any affiliated company providing telecommunications service in the State of Tennessee.

(b) “And” and “or” shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

(c) “Identification” or “identify” when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(d) “Switch” means a device composed of hardware and/or software that establishes, manages and releases physical or virtual connections between two or more points in a voice or data transmission system, regardless of the technology employed (e.g., circuit, wireless,

packet, or IP telephony). A “switch” may also perform other functions that enhance the aforementioned connections by providing additional information to or about the parties or devices that are involved in the connections.

### **DISCOVERY REQUESTS**

1. Describe the types of services you provide in Weakley County, Tennessee and state the number of customers within such county.

**RESPONSE:**

2. Identify all internet service providers in Weakley County, Tennessee that are your customers, and for each such provider identified, state the telephone number for access to such provider, and the monthly volume (by number of calls, minutes, amount of data and any other measured quantity) for each such provider.

**RESPONSE:**

3. If you provide internet access service to residents of Weakley County, Tennessee state (a) the telephone number for access to your service, (b) the location of the exchange for such service, and (c) the monthly volume (by number of calls, minutes, amount of data, and any

3. If you provide internet access service to residents of Weakley County, Tennessee state (a) the telephone number for access to your service, (b) the location of the exchange for such service, and (c) the monthly volume (by number of calls, minutes, amount of data, and any other measured quantity) for each such provider.

RESPONSE:

4. With respect to the dropped or uncompleted calls at issue in this matter, please identify all dropped or uncompleted calls, by time, date, caller (including telephone number), recipient or intended recipient (including telephone number), location of caller, location or recipient/intended recipient, type of call (e.g. voice, internet, other).

RESPONSE:

5. For each recipient or intended recipient identified in your response to request number 4, please state the volume of monthly volume of calls (by calls, minutes, amount of data, and any other measurement kept by you) received by that customer from Aeneas' customer(s) in Weakley County, Tennessee.

RESPONSE:

6. With respect to your customer(s) in Weakley County, Tennessee that have had calls dropped or uncompleted because of the connection with Citizens' customers, please state the frequency of such occurrence(s), including but not limited to a ratio of completed calls to uncompleted calls to each affected Aeneas customer.

RESPONSE:

7. Describe your interconnection arrangement(s) with other telecommunication providers in Tennessee, including a description of the contractual agreements and the type of connection/switch. Also, provide a copy of all agreements identified herein, including your agreement(s) with BellSouth.

RESPONSE:

8. Please identify all facts that you believe support your contention that Citizens should route calls to Aeneas' customers in Weakley County through BellSouth's tandem switch in Memphis, including the applicable LERG provision(s) that you believe apply.

RESPONSE:

9. To the extent you have not already done so, please quantify the number of customers and monthly volume of calls (including number of calls, minutes, bytes of information, and any other measured quantity) affected by the manner in which calls are currently routed from Citizens' customers to your customers.

RESPONSE:

10. Please provide all documents that evidence or relate to your responses to the foregoing requests.

RESPONSE:

11. Please provide all documents that evidence or relate to your complaint against Citizens not already provided.

RESPONSE:

Respectfully submitted,

---

Guilford F. Thornton, Jr. (No. 14508)  
Charles W. Cook, III (No. 14274)  
STOKES BARTHOLOMEW  
EVANS & PETREE, PA.  
424 Church Street, Suite 2800  
Nashville, Tennessee 37219  
(615) 259-1450

Attorneys for Citizens Telecommunications  
Company of Tennessee, LLC



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by hand-delivery to Henry Walker, Boulton, Cummings, Conners & Berry, PLC, 414 Union Street, Suite 1600, P.O. Box 198062, Nashville, Tennessee 37219; and by first class mail postage prepaid to Jim Wright, United Telephone-Southeast, Inc., 14111 Capital Boulevard, Wake Forest, NC 27587 and Aeneas Communications, LLC, Jonathan Harlan, 301 South Church Street, Jackson, Tennessee 38031 on this the 26th day of November, 2002.



---

Charles W. Cook, III

217439.1